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Three and a half years later, Royal Realty project approved

The Royal Realty development for 29 units on Royal Avenue was finally approved at the September 24th meeting of the Hawthorne Planning Board, some three and a half years since the application was first presented.

Planning Board Chairman Walter Garner said the application has been back and forth between this board and the Zoning Board for over two years.

The 1.3-acre site consists of four properties, previously single family homes at 15-17-21-27 Royal Avenue.

Jerome Vogel, attorney for the Dello Buono brothers, the prospective developers, said the property is in an R-3 apartment zone where the zoning ordinance would allow 32 units.

"We're proposing 29. This includes two single bedroom units, 25 two-bedroom units and two 2-bedroom with a den," said Vogel. He added that the project had been presented to the Zoning Board for interpretation and it ruled that no use variance was needed.

The project has 58 parking spaces, all provided on the ground level of the two and a half story structure.

"The building complies with the height. The size of the building complies," said the attorney.

Architect Ed Easse testified that the front of the building will feature a gabled roof, a brick facade and dormers to break up the lines.

"It's a U-shaped building facing Royal Avenue," said Easse, "It fits into the residential profile. We're using material similar to those used on a two-family house. We feel this is the best to meet what the ordinance allows."

The developer's professional planner John McDonough testified the four variances requested are "lower level" and he agrees with the need for all of them. They include a steep slope exception, an access drive that is 25 feet instead of 30; screening fences instead of vegetation on both the north/side sides and a higher percentage of two-bedroom units than the 10% allowed in the ordinance.

At a previous meeting Joseph Dello Buono had testified that virtually all his prospective tenants — empty nesters and millennials — want two-bedroom units.

"The benefits outweigh the detriments,"

said McDonough. He said the project makes efficient use of the land, improves the overall drainage and with the proximity of the train station, becomes a transit-targeted development.

Opponents of the project called Concerned Citizens of Hawthorne were represented by attorney Susan Rubright and she presented two neighboring residents as witnesses.

Shelia Furrey owns the property to the south at 11 Royal Avenue.

"I'm amazed at all the variances," said Furrey, "and the lack of landscaping." A six-foot fence has been proposed as a buffer and she said, "I'd prefer evergreens."

Annette Long resides in the Diamond Brook Hollow condominium complex.

"I have similar concerns," she said.

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Royal Realty development approved after three and a half years

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"I'd like to see a six-foot fence on our side."

Professional Planner Anthony Gallerano testified on behalf of the objectors. He expressed "serious concern about the stormwater design." After attending a recent seminar, Gallerano said that the seepage pits on the plan are no longer allowed.

"It needs to be redesigned to be compliant," he said.

Gallerano also said there should be more landscaping, lamenting the lack of vegetative screening on both sides.

As for the steep slope variance, the witness said that if the building was smaller, there wouldn't be a need to disturb the steep slope.

"I believe the additional bedrooms are

an overintensification," said Gallerano. "Granting a variance is tantamount to rezoning. I don't believe the benefits outweigh the detriments."

Vogel questioned the witness and pointed out, "The property next door had a similar steep slope."

"I don't know," answered Gallerano.

"If I told you the steep slope was endemic to the area, would you agree," asked Vogel.

Gallerano again said he didn't know.

Board Engineer Mike Kelly said he would check out Gallerano's contention that seepage pits aren't allowed and explore alternatives.

In summing up the application, Rubright argued that the variances requested (C-2) "advance the purpose of the applicant. They have not shown how it advances the benefit to the borough. The applicant's burden is to show the need."

"In our opinion, granting these variances will upend the Master Plan," she concluded reiterating that the Planning Board's approval would be an effort "to accommodate the owners."

"This is a compliant building," replied Vogel. "It's been designed to fit into a residential area."

"The reality is that this development fits on the property and complies with the regulations. It requires four small variances," said Vogel. "This is an opportunity to take four older

anachronistic properties and develop them in a vision with the Master Plan.

Garner then polled the board members starting with Barbara Zakur. She summarized all four variances, noting that the steep slope was present on the adjacent Diamond Brook Hollow site. She said that the borough's steep slope legislation was adopted "more out of a concern for the hilly area of town."

As for the variance for two-bedroom apartments, she pointed out that the Hawthorne Zoning Board has recently granted a variance for Hawthorne Square composed entirely of two-bedroom apartments.

"It is what the market demands," she said.

Councilman Frank Matthews suggested addressing the landscaping issue and wanted the COAH obligation to be part of the conditions.

Board members Rob Meier and Mary Lou DiMattia also wanted vegetative screening as a condition of approval.

The fire safety issue was addressed by Board Member Gene DeAugustines, the borough fire marshall. He pointed out that the project included sprinklers and that the fire department had no issues with the project.

"I think this is a good solution for this property," said Garner. He agreed with the neighbors' request for a landscaper buffer which will be a condition.

The vote was 6-0 to approve the plan. Board members Robert Lucibello, Carmen Ruta and Mayor Rich Goldberg has recused themselves from hearing the application.

Numerous conditions were read into the record by the board engineer and will be included in the memorializing resolution to be adopted at a future meeting.